

REMARKS

By this Response, claims 1-12 have been amended and claim 40 has been newly added. Accordingly, claims 1-40 are currently pending in the application.

In view of the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

REJECTIONS OF CLAIMS 1-12 UNDER 35 U.S.C. §102(e)

In the Office Action, at page 2, claims 1-12 were rejected under 35 U.S.C. §102(e) as being anticipated by Albert et al., U.S. Patent No. 6,252,564 (hereinafter, “Albert”). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 84 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Albert does not disclose all of the elements recited in claims 1-12 of the present application; therefore, Applicant respectfully traverses this rejection for at least the following reasons.

Independent claim 1 of the present application recites: “A wearable device, comprising ... at least one integrated circuit supported within the flexible body; and a flexible display element supported within the flexible body” Accordingly, the flexible display element and the integrated circuit are supported within the flexible body in the present application.

Albert does not teach or suggest a wearable device having “at least one integrated circuit supported within the flexible body; and a flexible display element supported within the flexible body,” as recited in independent claim 1 of the present application. Instead, Albert specifically and repeatedly discloses having “a wearable display [that] includes an article of clothing including an electrically addressable display **incorporated into** the wearable item ...” Albert, column 4, lines 47-58, and Albert, column 18, lines 51-67. Therefore, the electrically

addressable display disclosed in Albert is integral or united in one body with the wearable item, which is not the same as having the flexible display element and the integrated circuit supported within the flexible body that is attached to the article of clothing, as disclosed in claim 1 of the present application.

Therefore, for at least the reasons discussed above, independent claim 1 patentably distinguishes over Albert. Accordingly, it is respectfully requested that the rejection of claim 1 be withdrawn.

Claims 2-12 depend from independent claim 1 and is patentable for at least the reasons discussed above. Accordingly, it is respectfully requested that the rejections of claims 1-12 be withdrawn.

NEWLY ADDED CLAIM 40

Newly added claim 40 patentably distinguishes over the references relied upon by the Examiner and is supported by the originally filed specification. Claim 40 depends from independent claim 1 and is patentable over the references relied upon by the Examiner for at least the reasons discussed. In addition, claim 40 recites: “ ... wherein the flexible body is **removably** attached to the article of clothing.” As discussed above, Albert specifically and repeatedly limits the electrically addressable display as integral or united in one body (incorporated into) with the wearable item, which is much different than having the flexible design element removably attached to the clothing material.

Accordingly, approval of the newly added claim 40 is respectfully requested.

CONCLUSION

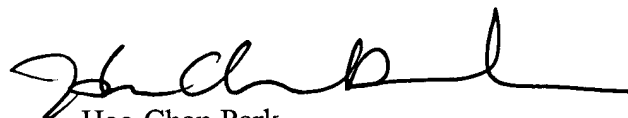
Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have

been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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